ANNEXURE.

MYSORE FOREST DEPARTMENT.

Provident Fund Rules.

1. *Title and Extent.*—The fund shall be called *The Provident Fund for the benefit of the employees of the "Wood Preservation Plant, Bhadravati, and the Saw Mills, Shimoga, managed by the Forest Department in Mysore" and shall come into force from 1st January 1940.*

2. *Definition.*—In these rules unless there be something repugnant in the subject or context—

(*a*) "Concerns" shall include—

(*i*) the Wood Preservation Plant, Bhadravati;

(*ii*) the Government Saw Mills, Shimoga; and

(*iii*) any other concern which may be brought under the operation of these rules under sanction of Government.

(*b*) "The Fund" shall mean the Provident Fund for the benefit of the employees of the Wood Preservation Plant, Bhadravati; and the Saw Mills, Shimoga, and any other concerns managed by the Forest Department.

(*c*) "Department" shall mean the Forest Department, and "Member of the Fund" shall mean an employee who, under this rule, is a subscriber to the Fund and who has signed an agreement to become a member thereof in the form annexed to these rules.

(*d*) "Salary" means monthly salary and does not include overtime or other allowances if any.

(*e*) "Depositor" means a servant by whom or on whose behalf a deposit is made under these rules.

(*f*) "Deposit" means a deposit in this Provident Fund.

(*g*) "Interest" includes compound interest.

(*h*) "Compulsory Deposit" means a deposit made under Rule 4 with interest accruing thereon.

(*i*) "Bonus" means a bonus added to a deposit under Rule 5 with interest accruing thereon.

3. *Rate of Subscription.*—All the employees who are in permanent but non-pensionable service including those coming under the class of skilled labour and who have put in a qualifying service of not less than *three years* on the date of introduction of this scheme, shall be eligible for membership and shall become members. Unskilled and casual labour shall, however, be excluded from the operation of these rules.

4. Every employee of the class defined in the previous paragraph shall subscribe to the Fund every month *a sum equal to one-sixteenth* ($\frac{1}{16}$) *of the amount of his monthly salary* and this subscription shall be recovered by deduction from his monthly salary at the time it is disbursed.

(*i*) *Explanation.*—In fixing the rate of subscription, pies shall be rounded off to the nearest anna in the total calculation by treating six pies and above as one anna and by neglecting five pies and less.

(*ii*) When a member is on leave with allowances, subscription calculated as above on the full salary the member would have received had he not gone on leave, will be recovered from the leave allowances at the time of its disbursement but no subscription will be recoverable when a member is either on leave without pay or under suspension, provided the balance subscription falling due for that period is going to be fully paid up within three months from the date of the member's return to duty from such leave or suspension.

5. *Contribution by the Concerns.*—The concerns shall contribute to every member's account—

(*a*) at the end of each year, *i. e.*, on 30th June or as soon as the accounts of the concern for the year are closed, under sanction of Government, a sum equal to the aggregate amount of the subscriptions contributed by a member under these rules during the preceding year, provided the concern or concerns have earned sufficient net profits during the said year after making full provision for depreciation.

(*b*) For past service up to the end of December 1939 in respect of such of the members as have put in not less than three complete years of service continuously in the concerns and who, after 1st January 1940, subscribe towards the Fund, a bonus equal to the total of half the pay drawn by him for the month of June, for each full year of service.

Note.—1. The bonus for past service shall not bear any interest and shall be payable on termination of service or when a final withdrawal or closing of the subscriber's account is ordered.

2. In the calculation of the bonus amount, pies will be rounded off in the manner enumerated under explanation (*i*) to Rule 4.

6. *Interest.*—Compound interest at the same rate as is allowed from time to time in the case of the State Provident Fund will be calculated at the end of each financial year on the amounts standing to the credit of each member at the end of the previous financial year, plus the subscriptions collected from the members during the year and credited to their accounts.

Interest will be calculated on the minimum monthly balances for the year or for any shorter period when it may become necessary to close the account. It will be added to the principal at the end of the financial year except when the account is finally closed in the course of the year.

In crediting interest to subscribers, pies should be rounded off to the nearest anna in the manner enumerated under explanation (*i*) to Rule 4. As the amounts of the Fund will be remitted to the Treasury, a bill on account of the interest calculated as above will be forwarded to the Comptroller for adjustment in the accounts of the half-year by credit to the Fund and debit to the head "Interest."

7. *Withdrawals.*—No final withdrawal of the deposit or bonus shall be permissible except—

(*i*) on the death of the depositor, or

(*ii*) when the depositor finally quits or is permitted to quit finally the service in the concern or concerns.

8. *Advances.*—On being satisfied that the pecuniary circumstances of a depositor are such that the indulgence is absolutely necessary, the Chief Conservator of Forests may sanction advances not ordinarily exceeding four months' salary or one-fourth of the total amount standing to the credit of the depositor in the Fund, whichever is less—

(*i*) to pay expenses incurred in connection with the illness of the subscriber or a member of his family;

(*ii*) to pay expenses in connection with the marriages, funerals or ceremonies, which, by the religion of the subscriber, it is incumbent upon him to perform and in connection with which it is obligatory that expenditure should be incurred.

Note.—1. Advances may be made with due regard to the principles above stated and not confined to objects referred to.

2. A second advance is not granted when any portion of the first advance is still unpaid or unless the unpaid portion is refunded at once by deduction from the new advance.

3. Except for strong reasons to be recorded in writing, no new advances will be allowed until at least twelve months have elapsed since the date of the previous advance.

9. *Recovery of Advances.*—Advances will be recovered at the discretion of the sanctioning authority in not less than twelve or more than twenty-four instalments. Recovery will be made monthly commencing from the first payment of a full month's salary (*i. e.*, employed pay whether subject to deductions on some other account or not) after the advance is granted but no recovery will be made from an official when he is on leave of any kind. The instalments will be paid by compulsory deductions from pay and will be in addition to the usual subscription.

10. *Grant of Bonus.*—Cent per cent Bonus on all subscriptions paid during the preceding year will be allowed in the following cases :—

(*i*) Except as provided for in Rule 11, in all cases of transfer to other concerns of the Department where these rules are not applicable or any other Department of Government.

(*ii*) In case where permission has been accorded to terminate the services of a subscriber on account of ill health or *bona fide* reduction of establishment or attainment of age limit fixed, if any.

(*iii*) In the case of death.

11. In the case of the transfer of a member at his own request to some other concern to which these rules do not apply, such member should not receive and bonus not already credited to his account on the date of his transfer. The Chief Conservator of Forests shall decide, in each case, whether a member has been transferred in the interests of public service or not.

12. *Payment on Dismissal or Resignation.*—If a member is dismissed from his employment in consequence of his conviction by a criminal court or for serious misconduct or for neglect of duty resulting in loss to Government or where he has resigned his appointment, the Chief Conservator of Forests may direct the whole or any part of the bonus credited to the account of such member with the interest accrued thereon to be paid to Government or the concern concerned, as the case may be, or action may be taken in pursuance of Rule 14, as may be deemed fit in each case.

13. On a member voluntarily resigning the service of the concern or the Department after giving due notice of his intention to do so, the Chief Conservator of Forests may order payment of the aggregate amount subscribed by him to the Fund together with interest thereon and in respect of the balance remaining to his credit in the books of the fund, pay to him, according to the length of the service in the concern, such fraction, of it as may be deemed fit, subject to the maxims fixed below :—

(*i*) If he shall have served continuously for three years but less than six years—One-fourth of such balance.

(*ii*) If he shall have served continuously for six years but less than nine years—Half of such balance.

(*iii*) If he shall have served continuously for nine years but less than twelve years—Three-fourths of such balance.

(*iv*) If he shall have served continuously for twelve years or more—The whole of such balance.

(*v*) " Bonus cannot be claimed as of right. The Chief Conservator of Forests reserves the power to withhold a part or the whole of it according to the nature of service of the employees."

Note.—In the case of members who leave or resign service in the concern after rendering less than three years' service, they will be given only the amount contributed by them with interest thereon.

14. If any member shall be dismissed from the service of a concern or leaves without due notice, the Chief Conservator of Forests shall, subject to these rules, pay to him only the aggregate amount subscribed by him with interest thereon, provided the Chief Conservator of Forests may pay to any such member on sufficient reasons to be recorded in writing, the amount or any part thereof to which he would have been entitled under Rule 13 above if he had voluntarily resigned service in the concern.

Note.—The sum remaining to the credit of such member after payment under Rules 13 and 14 shall belong to and be credited to the concern under which the member was employed or to Government, as may be deemed fit.

15. *Nomination.*—Every member may nominate a person to whom the amount standing to his credit in the Fund shall be payable in the event of his death while in the service of any of the concerns contributing to this Fund or before his claim on the Fund shall have been discharged.

If any person so nominated predeceases the member, the member may forthwith assign the amount to another nominee in his stead.

Every such nomination and appointment as aforesaid must be in writing signed by the member and attested by a witness and must be sent to the Head Office through his superior officer for registration and record.

16. If a member has failed to nominate or to keep up the nomination of the Receiver, then the Chief Conservator of Forests shall, subject to these rules, pay to the person entitled thereto under any probate, letters of administration or succession certificates, the amount standing to the credit of the member in the Fund. Notwithstanding the above procedure, in cases where the total amount does not exceed Rs. 1,000, the amount may be disbursed to the representative of the deceased member after a summary departmental enquiry.

17. *Assignment.*—No assignment by any member of any money standing to his credit, whether by way of absolute assignment or of mortgage or otherwise, shall be valid and the Department shall not recognise or be bound by notice of any such assignment other than those contemplated under these rules.

18. *Lien of the Department.*—The Department shall have a permanent lien during the life-time of the members, on the accounts from time to time standing to the credit of such members of the Fund in respect of all losses, damages, costs and expenses which the concern or Department may, at any time, sustain or be put to, by reason of embezzlement, default or negligence of such members.

19. *Powers of Government.*—The Government shall have power for changing the rules and the members shall agree to have their accounts regulated according to the rules as they stand from time to time.

20. *General.*—The Provident Fund Regulation of 1916 shall apply to this Provident Fund.